

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 00-3181

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Mary Gray,

Appellant,

v.

Larry Massanari, Acting  
Commissioner, Social Security  
Administration,

Appellee.

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Appeal from the United States  
District Court for the Eastern  
District of Arkansas.

[UNPUBLISHED]

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Submitted: April 12, 2001

Filed: April 24, 2001

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Before BOWMAN and FAGG, Circuit Judges, and VIETOR,\* District Judge.

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PER CURIAM.

Mary Gray sought disability insurance benefits asserting she is disabled by fibromyalgia, stress, fatigue, depression, and memory loss. An administrative law judge (ALJ) concluded Gray is not disabled because she retains the residual functional capacity to return to her past relevant work as a salesperson. Gray sought judicial

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\*The Honorable Harold D. Vietor, United States District Judge for the Southern District of Iowa, sitting by designation.

review, and the district court concluded substantial evidence supported the ALJ's decision. Gray appeals asserting the ALJ did not properly consider her subjective complaints, her treating physician's opinion that she can only stand or walk for four hours per day, and the limitations posed by her severe depression. Having carefully reviewed the record, we conclude the district court correctly held substantial evidence supports the ALJ's decision. The ALJ evaluated Gray's subjective complaints in compliance with Polaski v. Heckler, 751 F.2d 943, 948 (8th Cir. 1984), and properly found Gray's subjective complaints were not credible because of inconsistencies in the evidence. The ALJ also properly found Gray could perform her past relevant work as it was actually performed, and Gray's depression was situational in nature and relieved by medication. We thus affirm the district court.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.